

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

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§

VS.

CRIMINAL NO. H-17-116-2

STEPHEN E. STOCKMAN

JURY NOTE 1

Is Mail/~~check~~ wire fraud related to:

1) Reason for the check was written?

OR

2) The destination the funds were deposited to (c3)
and that's "destination" ability to use those funds.

4/10/18

Date

FOREPERSON

Please see
attached response.

4/10/2018
DATE


LEE H. ROSENTHAL
UNITED STATES DISTRICT JUDGE

The court understands Jury Note 1 to ask whether mail/wire fraud is related to: (1) the reason the check was written; or (2) whether the 501(c)(3) entity that the check was written to and that deposited the check could legally use those funds. If that is an accurate understanding of the questions in Jury Note 1, the court responds as follows:

Mail and wire fraud require each of the elements set out on pages 13 and 17 of the Jury Instructions. The elements are that Mr. Stockman knowingly devised or intended to devise a scheme to obtain money from individuals or charitable foundations based on false representations, pretenses, or promises; that the scheme employed false material representations, pretenses, or promises; that Mr. Stockman caused something to be delivered through the Postal Service (Count 1), by a private or commercial interstate carrier (Counts 2, 3, and 4), or by way of wire communications (Counts 5, 6, 7, and 8), for the purpose of executing the scheme or attempting to execute it; and that Mr. Stockman acted with a specific intent to defraud. You should consider these elements in the context of the entire jury instructions, including the definitions of "knowingly," "scheme to defraud," "specific intent to defraud," and "false" and "material" representation, pretense, or promise on page 11.

Lee H. Rosenthal
4/10/2018
4:07 P.M.

IN THE UNITED STATES DISTRICT COURT
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VS.

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CRIMINAL NO. H-17-116-2

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JURY NOTE 2

Instructions includes 14-26.

Verdict form includes 14-22, 24, 27, 28.

Please confirm we don't include Verdict for
23, 25, 26. as instructed.

4/11/18

Date

FOREPERSON

The court confirms that you need not
include a verdict for counts 23, 25, or
26.

DATE

4/11/2018

1:25 p.m.


LEE H. ROSENTHAL
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
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UNITED STATES OF AMERICA

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VS.

CRIMINAL NO. H-17-116-2

STEPHEN E. STOCKMAN

JURY NOTE 3
Indictment indicates "knowingly caused and Engaged in"
and Instructions only says "knowingly engaged or attempted
to engage." Are we to only consider verbiage
from instructions, and can you define engaged?

4/12/18

Date

FOREPERSON

Please see attached sheet for response

DATE

4/12/2018
16-08 QD, 111.


LEE H. ROSENTHAL
UNITED STATES DISTRICT JUDGE

The court understands this question to refer to the Instructions on Pages 33—34, the monetary transactions counts, and Pages 39–40, which apply aiding and abetting to these and other counts. If that is correct, the court responds as follows:

You are to follow and apply the Instructions given to you on April 9. Under those Instructions, the first element of Counts 14 through 24 (with the exception of Count 23) requires the government to prove beyond a reasonable doubt that Mr. Stockman knowingly engaged or attempted to engage in a monetary transaction.

“Engage in” has its normal meaning: to take part in or participate in, either directly or through another person acting under the defendant’s direction, as set out in the aiding and abetting Instructions on Pages 39–40.

4/12/2018
10:00 a.m.

Lee H. Rosenthal
Court United States District Judge

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UNITED STATES OF AMERICA

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VS.

CRIMINAL NO. H-17-116-2

STEPHEN E. STOCKMAN

JURY NOTE 4

Verdict Reached

4/12/18

Date

• *Peter B. Burch*

DATE

**LEE H. ROSENTHAL
UNITED STATES DISTRICT JUDGE**